

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RAYMONDO LEWIS, # 256207,)	
Plaintiff,)	
)	No. 2:16-cv-57
-v-)	
)	Honorable Paul L. Maloney
UNKNOWN AARON and J. NAEYAERT,)	
Defendants.)	
)	

**ORDER ADOPTING REPORT AND RECOMMENDATION AND
GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

Plaintiff Raymondo Lewis is a prisoner under the control of the Michigan Department of Corrections (MDOC). He filed this civil rights lawsuit against two MDOC employees. Defendants filed a motion for summary judgment (ECF No. 18), alleging that Lewis failed to exhaust his administrative remedies for some of the claims identified in the complaint. The magistrate judge reviewed the motion and response and issued a report recommending Defendants' motion be granted. (ECF No. 28.) If Defendants' motion is granted, some, but not all, of Lewis's claim would be dismissed without prejudice. Lewis filed objections. (ECF No. 31.)

After being served with a report and recommendation (R&R) issued by a magistrate judge, a party has fourteen days to file written objections to the proposed findings and recommendations. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). A district court judge reviews de novo the portions of the R&R to which objections have been filed. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). Only those objections that are specific are entitled to a de

novo review under the statute. *Mira v. Marshall*, 806 F.2d 636, 637 (6th Cir. 1986) (per curiam).

The report and recommendation (ECF No. 28) is **ADOPTED** as the opinion of this Court. Generally, Lewis's objections do not address the accurate summary of the facts outlined in the magistrate judge's report. The magistrate judge identifies the two relevant grievances, and explains why those two grievances exhaust only Lewis's claim for the denial of his shower shoes and was only given two single packs of toothpaste. The other claims alleged in the complaint were not exhausted in either of these grievances.

Having adopted the report and recommendation, Defendants' motion for summary judgment (ECF No. 18) is **GRANTED**.

The Court acknowledges that, since the report and recommendation was issued, Lewis was granted leave to file an amended complaint, which he has done (ECF No. 30). This order does not affect any new claim raised in the amended complaint that was not raised in the original complaint.

IT IS SO ORDERED.

Date: November 28, 2016

/s/ Paul L. Maloney
Paul L. Maloney
United States District Judge